

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BARTELL RANCH LLC, *et al.*,

Plaintiffs,

v.

ESTER M. MCCULLOUGH, *et al.*,

Defendants.

JUDGMENT

Case Number: 3:21-cv-00080-MMD-CLB

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

— **Decision by Court.** This action came for consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that pursuant to this court's order entered February 6, 2023 (ECF No. 279) the court has rendered a decision as more fully specified within that order (ECF No. 279) as follows:

ORDERED the Environmental Plaintiffs' motion for summary judgment (ECF No. 202) is **granted in part, and denied in part**. Ibid.

IT IS FURTHER ORDERED that the Burns Paiute Tribe's motion for summary judgment (ECF No. 203) is **denied**. Ibid.

IT IS FURTHER ORDERED that Rancher Plaintiffs' motion for summary judgment (ECF No. 204) is **granted in part, and denied in part**. Ibid.

IT IS FURTHER ORDERED that RSIC's motion for summary judgment (ECF No. 205) is **denied**. Ibid.

IT IS FURTHER ORDERED that Lithium Nevada's counter motion for summary judgment (ECF No. 241) as to Rancher Plaintiffs' claims is **granted in part, and denied in part**. Ibid.

IT IS FURTHER ORDERED that Lithium Nevada's cross motion for summary judgment (ECF No. 242) as to Environmental Plaintiffs' claims is **granted in part, and denied in part**. Ibid.

IT IS FURTHER ORDERED that Federal Defendants' cross motions for summary judgment (ECF Nos. 227, 237, 238) are **granted in part, and denied in part**. Ibid.

IT IS FURTHER ORDERED that Lithium Nevada's cross motions for summary judgment as to Tribal Plaintiffs' claims (ECF No. 230) are **granted**. Ibid.

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AO450 (NVD Rev. 2/18) Judgment in a Civil Case

IT IS FURTHER ORDERED that this case is **remanded** - but without vacatur of the Record of Decision - to BLM to determine whether Lithium Nevada possesses valid rights to the waste dump and mine tailings land it intends to use for the Project to support BLM's decision to issue the Record of Decision. Ibid.

IT IS FURTHER ORDERED that judgment is hereby entered accordingly and this case is closed.

Date: February 7, 2023 _____



CLERK OF COURT

[Handwritten Signature]

Signature of Clerk or Deputy Clerk